

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONALD DAVID RIVERS,  
Plaintiff,

v.

CAROLYN COLVIN,  
Defendant.

Case No. [16-cv-02399-MEJ](#)

**ORDER TO SHOW CAUSE**

Plaintiff Ronald Rivers filed suit *pro se* to appeal the denial of social security benefits. *See* Compl., Dkt. No. 1. The Court issued a Social Security Procedural Order, which required Defendant to serve and file an answer, together with a certified copy of the transcript of the administrative record (“AR”), within 90 days of receiving the summons and complaint. *See* Proc. Order ¶ 1, Dkt. No. 2. Defendant served and filed her Answer on August 29, 2016, and served and filed a certified copy of the AR on September 6, 2016. *See* Answer, Dkt. No. 14; AR, Dkt. No. 15. The Procedural Order then required Plaintiff to file a motion for summary judgment or for remand within 28 days of service of the Answer; Plaintiff’s deadline for doing so therefore was, at the latest, October 4, 2016. *See* Proc. Order ¶ 2. As of the date of this Order, Plaintiff has not filed a motion for summary judgment or a motion for remand, and has not otherwise formally prosecuted the action.

Accordingly, the Court hereby ORDERS Plaintiff Ronald David Rivers to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by February 7, 2017. Notice is hereby provided that failure to file a written response will be deemed an admission that Plaintiff does not intend to prosecute, and the case will be dismissed without prejudice. Thus, it is imperative that the Court

1 receive a written response by the deadline above.

2 **IT IS SO ORDERED.**

3  
4 Dated: January 24, 2017

5  
6   
7 \_\_\_\_\_  
8 MARIA-ELENA JAMES  
9 United States Magistrate Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
Northern District of California